

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	ZICKER, <i>et al.</i>	Examiner:	Bong-Sook Baek
Serial No.:	09/978,127	Art Unit:	1614
Filing Date:	October 16, 2001	Conf. No.:	3786
For:	Composition and Method	Atty. Docket No.:	6493-02-HL

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**RENEWED PETITION UNDER 37 C.F.R. § 1.137(b)**

Dear Sir:

This is a renewed petition to revive the above-identified application. A petition under 37 C.F.R. § 1.137(b) to revive the above noted application was filed on February 10, 2011. On March 15, 2011 the Office of Petition issued a dismissal of the petition. The original petition was dismissed because item (1) was not satisfied – the Office stated that no response to the non-final Office action was filed with the petition.

Applicants hereby submit that item (1) was satisfied with the filing of U.S. Application No. 12/977,798 on December 23, 2010. U.S. Application No. 12/977,798 is a continuation of the above-identified application and was submitted timely. Applicants hereby enclose a copy of the Updated Filing Receipt issued on March 18, 2011 in U.S. Application No. 12/977,798 which shows it is a CON of the above-identified patent application.

As item (1) has been met, Applicants respectfully request reconsideration of the petition filed under 37 C.F.R. § 1.137(b) to revive the above-identified application as filed on February 10, 2011.

A Statement Regarding the Payment of Fees is being filed concurrently with this petition. The Director is authorized to charge any additional fees due or credit any overpayments to Deposit Account No. 50-2957.

Respectfully submitted,

Date: May 25, 2011

/Shannon McGarrah/  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLAIMS	IND CLAIMS
12/977,798	12/23/2010	1614	2816	6493-03-HL	38	6

CONFIRMATION NO. 1012

## UPDATED FILING RECEIPT



OC00000046634273

Date Mailed: 03/18/2011

23909  
COLGATE-PALMOLIVE COMPANY  
909 RIVER ROAD  
PISCATAWAY, NJ 08855

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

## Applicant(s)

Steven Curtis Zicker, Lawrence, KS;  
Karen J. Wedekind, Meriden, KS;

## Assignment For Published Patent Application

Hill's Pet Nutrition, Inc., Topeka, KS

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## Domestic Priority data as claimed by applicant

This application is a CON of 09/978,127 10/16/2001  
which is a CIP of 09/922,632 08/06/2001 ABN \*  
which claims benefit of 60/253,447 11/28/2000  
and claims benefit of 60/253,446 11/28/2000  
and claims benefit of 60/244,510 10/31/2000

(\*)Data provided by applicant is not consistent with PTO records.

**Foreign Applications** (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

If Required, Foreign Filing License Granted: 01/07/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/977,798**

**Projected Publication Date:** 06/30/2011

**Non-Publication Request:** No

**Early Publication Request:** No  
**Title**

COMPOSITION AND METHOD

**Preliminary Class**

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## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

## **LICENSE FOR FOREIGN FILING UNDER**

### **Title 35, United States Code, Section 184**

### **Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**STATEMENT REGARDING PAYMENT OF FEES**

Dear Sir:

This is a statement in response to the refund of extension fees addressed in the Decision on the Petition to Revive mailed by the Office of Petitions on March 25, 2011 and is being filed concurrently with a Renewed Petition. The Office states that the extension of time within the third month was not granted and an amount of \$1,730.00 would be refunded. On March 25, 2011 the amount of \$1,730.00 was refunded to Deposit Account 50-2957.

Applicants submit that the amount \$1,730.00 was refunded in error. On February 10, 2011, the applicants filed a petition for revival of an unintentionally abandoned application. In addition, a statement was filed requesting the U.S. Patent and Trademark Office to debit Deposit Account 50-2957 both the petition fees under 37 CFR 1.17(m) in the amount of \$1,620.00 and the extension fees under 37 CFR 1.17(a)(3) in the amount of \$1,110.00. These fees were never debited from the deposit account. Therefore, the amount of \$1,730.00 should not have been refunded. The Director is authorized to debit the amount of \$1,730.00 from Deposit Account 50-2957 to correct this error.

Applicants are hereby submitting, via electronic payment, the Petition Fees under 37 CFR 1.17(m) in the amount of \$1,620.00 and the extension fees under 37 CFR 1.17(a)(3) in the amount of \$1,110.00. Furthermore, the Director is authorized to charge any additional fees due or credit any overpayments to Deposit Account No. 50-2957.

Respectfully submitted,

Date: May 25, 2011

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